

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES EDWARD TAYLOR, JR.,

No. 2:23-cv-0005 AC P

Plaintiff,

ORDER

v.

HO, et al.,

Defendants.

Plaintiff, a state prisoner proceeding pro se, has filed what appears to be a motion for reconsideration of the order denying his motion for an extension of time. ECF No. 26. He states that it will be impossible for him to complete discovery between April 8 and June 7, 2024, because he was never provided a copy of his original complaint and he does not have possession of his medical records, which he was told would not be provided to him until he was released from custody. *Id.* He further requests assistance in obtaining his medical records. *Id.* at 2.

Local Rule 230(j) requires that a motion for reconsideration state “what new or different facts or circumstances are claimed to exist which did not exist or were not shown upon such prior motion, or what other grounds exist for the motion; and . . . why the facts or circumstances were not shown at the time of the prior motion.” L.R. 230(j)(3)-(4).

Contrary to plaintiff’s belief, discovery in this case opened on February 15, 2024, not April 8, 2024. ECF No. 22. April 8, 2024, is the deadline for serving written requests for

1 discovery. Id. at 6. In other words, plaintiff must serve on defense counsel any requests for  
2 production, interrogatories, and requests for admission by April 8, 2024. Plaintiff has not  
3 provided any new facts showing he requires additional time to submit written discovery requests  
4 or demonstrating that he has been unable to serve requests in the time he has already been  
5 provided. He also has not identified any new facts or circumstances showing that he will be  
6 unable to complete any other necessary discovery by the June 7, 2024 close of discovery. The  
7 motion for reconsideration will therefore be denied.

8 With respect to plaintiff's claim that he has not been provided a copy of his complaint, as  
9 a one-time courtesy, the Clerk of the Court will be directed to provide plaintiff with a copy of the  
10 complaint. Plaintiff is advised that further requests for copies will be denied unless they are  
11 accompanied by the applicable copying fees. As for plaintiff's request for assistance in obtaining  
12 his medical records, it appears that plaintiff has requested the records from non-party Sacramento  
13 County Jail, rather than seeking them from defendant through a discovery request, and it does not  
14 appear that plaintiff attempted to obtain the records through a subpoena. It therefore unclear  
15 whether the court has the power to compel their production or what other assistance plaintiff may  
16 be requesting and the request will be denied.

17 Accordingly, IT IS HEREBY ORDERED that:

18 1. Plaintiff's motion for reconsideration (ECF No. 26) is DENIED;  
19 2. Plaintiff's request for a copy of the complaint (ECF No. 26) is GRANTED and the  
20 Clerk of the Court is directed to send plaintiff a one-time, courtesy copy of the complaint (ECF  
21 No. 1); and  
22 3. Plaintiff's request for assistance in obtaining his medical records (ECF No. 26) is  
23 DENIED.

24 DATED: April 1, 2024

25   
26 ALLISON CLAIRE  
27 UNITED STATES MAGISTRATE JUDGE  
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